

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

<p><b>U.S. ETHERNET INNOVATIONS, LLC.,</b></p> <p style="text-align: center;"><b>Plaintiff,</b></p> <p><b>v.</b></p> <p><b>RICOH AMERICAS CORPORATION</b></p> <p style="text-align: center;"><b>Defendant.</b></p>	<p>§</p> <p>§</p> <p>§</p> <p>§</p> <p><b>CASE NO. 6:12-CV-235-MHS-JDL</b></p> <p>§</p> <p><b>JURY TRIAL DEMANDED</b></p> <p>§</p> <p>§</p> <p>§</p>
<p><b>U.S. ETHERNET INNOVATIONS, LLC.,</b></p> <p style="text-align: center;"><b>Plaintiff,</b></p> <p><b>v.</b></p> <p><b>TEXAS INSTRUMENTS INCORPORATED,</b></p> <p style="text-align: center;"><b>Defendant.</b></p>	<p>§</p> <p>§</p> <p>§</p> <p>§</p> <p><b>CASE NO. 6:11-CV-491-MHS-JDL</b></p> <p>§</p> <p><b>JURY TRIAL DEMANDED</b></p> <p>§</p> <p>§</p> <p>§</p>

**ORDER ADOPTING REPORT AND RECOMMENDATION OF  
UNITED STATES MAGISTRATE JUDGE**

The above entitled and numbered civil action was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636. The Report and Recommendation of the Magistrate Judge (6:12-cv-235, Doc. No. 284; 6:11-cv-491, Doc. No. 147) has been presented for consideration. The Magistrate Judge recommends denying Defendants'<sup>1</sup> Motion for Summary

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<sup>1</sup> Defendants are: Texas Instruments Incorporated (6:11-cv-491), Ricoh Americas Corporation, Xerox Corporation, Freescale Semiconductor, Inc., Epson America, Inc., Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., Samsung TeleCommunications America, LLC, and Samsung Austin Semiconductor, LLC, Oki Data Americas Inc., and STMicroelectronics N.V. and STMicroelectronics, Inc.

Judgment that the Asserted Claims of U.S. Patent Nos. 5,299,313 and 5,307,459 are Invalid for Indefiniteness Under 35 U.S.C. § 112(2) (6:12-cv-235, Doc. No. 169). No objections have been filed. Having carefully considered the Parties' arguments, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court adopts the Report and Recommendation of the United States Magistrate Judge as the findings of this Court.

Accordingly, it is hereby **ORDERED** that Defendants' Motion for Summary Judgment be **DENIED**.

**It is SO ORDERED.**

**SIGNED this 31st day of October, 2013.**

  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE